

**Calendar No. 222**

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**S. 574**

**[Report No. 111–102]**

To enhance citizen access to Government information and services by establishing that Government documents issued to the public must be written clearly, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 11, 2009

Mr. AKAKA (for himself, Mr. VOINOVICH, Mr. CARPER, Mr. LEVIN, Mrs. McCASKILL, Mr. TESTER, and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

DECEMBER 9, 2009

Reported by Mr. LIEBERMAN, with an amendment

[Insert the part printed in *italic*]

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**A BILL**

To enhance citizen access to Government information and services by establishing that Government documents issued to the public must be written clearly, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Plain Writing Act of  
3 2009”.

4 **SEC. 2. PURPOSE.**

5 The purpose of this Act is to improve the effective-  
6 ness and accountability of Federal agencies to the public  
7 by promoting clear Government communication that the  
8 public can understand and use.

9 **SEC. 3. DEFINITIONS.**

10 In this Act:

11 (1) **AGENCY.**—The term “agency” means an  
12 Executive agency, as defined under section 105 of  
13 title 5, United States Code.

14 (2) **COVERED DOCUMENT.**—The term “covered  
15 document” means any document (other than a regu-  
16 lation) issued by an agency to the public, including  
17 documents and other text released in electronic  
18 form.

19 (3) **PLAIN WRITING.**—The term “plain writing”  
20 means writing that the intended audience can read-  
21 ily understand and use because that writing is clear,  
22 concise, well-organized, and follows other best prac-  
23 tices of plain writing.

24 **SEC. 4. RESPONSIBILITIES OF FEDERAL AGENCIES.**

25 (a) **REQUIREMENT TO USE PLAIN WRITING IN NEW**  
26 **DOCUMENTS.**—Not later than 1 year after the date of en-

1 actment of this Act, each agency shall use plain writing  
2 in every covered document of the agency issued or sub-  
3 stantially revised.

4 (b) GUIDANCE.—

5 (1) IN GENERAL.—

6 (A) DEVELOPMENT.—Not later than 6  
7 months after the date of enactment of this Act,  
8 the Office of Management and Budget shall de-  
9 velop guidance on implementing the require-  
10 ments of subsection (a).

11 (B) ISSUANCE.—The Office of Manage-  
12 ment and Budget shall issue the guidance de-  
13 veloped under subparagraph (A) to agencies as  
14 a circular.

15 (2) INTERIM GUIDANCE.—Before the issuance  
16 of guidance under paragraph (1), agencies may fol-  
17 low the guidance of—

18 (A) the writing guidelines developed by the  
19 Plain Language Action and Information Net-  
20 work; or

21 (B) guidance provided by the head of the  
22 agency that is consistent with the guidelines re-  
23 ferred to under subparagraph (A).

1 **SEC. 5. REPORTS TO CONGRESS.**

2 (a) INITIAL REPORT.—Not later than 6 months after  
3 the date of enactment of this Act, the head of each agency  
4 shall submit to the Committee on Homeland Security and  
5 Governmental Affairs of the Senate and the Committee  
6 on Oversight and Government Reform of the House of  
7 Representatives a report that describes how the agency in-  
8 tends to meet the following objectives:

9 (1) Communicating the requirements of this  
10 Act to agency employees.

11 (2) Training agency employees in plain writing.

12 (3) Meeting the requirement under section 4(a).

13 (4) Ensuring ongoing compliance with the re-  
14 quirements of this Act.

15 (5) Designating a senior official to be respon-  
16 sible for implementing the requirements of this Act.

17 (b) ANNUAL AND OTHER REPORTS.—

18 (1) AGENCY REPORTS.—

19 (A) IN GENERAL.—The head of each agen-  
20 cy shall submit reports on compliance with this  
21 Act to the Office of Management and Budget.

22 (B) SUBMISSION DATES.—The Office of  
23 Management and Budget shall notify each  
24 agency of the date each report under subpara-  
25 graph (A) is required for submission to enable

1 the Office of Management and Budget to meet  
 2 the requirements of paragraph (2).

3 (2) REPORTS TO CONGRESS.—The Office of  
 4 Management and Budget shall review agency reports  
 5 submitted under paragraph (1) using the guidance  
 6 issued under section 4(b)(1)(B) and submit a report  
 7 on the progress of agencies to the Committee on  
 8 Homeland Security and Governmental Affairs of the  
 9 Senate and the Committee on Oversight and Govern-  
 10 ment Reform of the House of Representatives—

11 (A) annually for the first 2 years after the  
 12 date of enactment of this Act; and

13 (B) once every 3 years thereafter.

14 **SEC. 6. JUDICIAL REVIEW AND ENFORCEABILITY.**

15 (a) *JUDICIAL REVIEW.*—*There shall be no judicial re-*  
 16 *view of compliance or noncompliance with any provision*  
 17 *of this Act.*

18 (b) *ENFORCEABILITY.*—*No provision of this Act shall*  
 19 *be construed to create any right or benefit, substantive or*  
 20 *procedural, enforceable by any administrative or judicial*  
 21 *action.*

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